

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RALPH GENOVESE, TRUSTEE OF THE )  
FRANK R. GENOVESE TRUST, )  
Plaintiff )

v. )

HIGHMARK, INC., d/b/a )  
HIGHMARK BLUE CROSS BLUE )  
SHIELD, )  
Defendant )

CIVIL ACTION NO. 05-142 ERIE

**Order**

AND NOW, to wit, this \_\_\_\_ day of \_\_\_\_\_, 2005, upon consideration of  
the motion of the Defendant filed pursuant to F.R.C.P. 12(b), it is hereby ORDERED as follows:

(1) The Complaint in this action is hereby dismissed on the ground that the Plaintiff  
does not have standing.

or

(2) This matter is stayed for a period of \_\_\_\_\_ days for the substitution of a party  
with standing. This action is to be deemed dismissed if a motion or other appropriate document  
seeking substitution of a party with standing is not filed within the timeframe specified in the  
preceding sentence.

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U.S.D.J.